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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LARRY FREUDENBERG, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

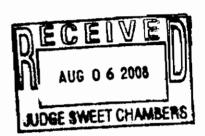
-against-

E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS,

Defendants.

(caption continued on next pages)

Civil Action No. 07-8538-RWS



[PROPOSED] ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL

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DATE FILED: 8 9 08

Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. ROBERT D. THULMAN, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. Civil Action No. 07-10400-UA Civil Action No. 07-10400-UA	WILLIAM BOSTON, Individually and on Behalf of All Others Similarly Situated,))) Civil Action No. 07-8808-RWS
E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,) Defendants.) ROBERT D. THULMAN, Individually and on Behalf of All Others Similarly Situated,) Plaintiff,) -against-) E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,) WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated,) Plaintiff,) -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,) E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,)	Plaintiff,)
MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. Defendants.	-against-	
ROBERT D. THULMAN, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Civil Action No. 07-10400-UA	MITCHELL H. CAPLAN and ROBERT J.)))
Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, SIMMONS, Civil Action No. 07-10400-UA	Defendants.))
Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS,) SIMMONS,)		,))) Civil Action No. 07-9651-RWS
E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. WENDY M. DAVIDSON, Individually and on) Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Civil Action No. 07-10400-UA	Plaintiff,)
MITCHELL H. CAPLAN and ROBERT J. SIMMONS, Defendants. Defendants. WENDY M. DAVIDSON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS, SIMMONS,	-against-	
WENDY M. DAVIDSON, Individually and on) Behalf of All Others Similarly Situated,) Plaintiff,) -against-) E*TRADE FINANCIAL CORPORATION,) MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,)	MITCHELL H. CAPLAN and ROBERT J.)))
Behalf of All Others Similarly Situated, Plaintiff, -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS,) Civil Action No. 07-10400-UA) Civil Action No. 07-10400-UA) () () () () () () () () ()	Defendants.))
Plaintiff,) -against- E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN and ROBERT J. SIMMONS,)))))
E*TRADE FINANCIAL CORPORATION,) MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,)	Plaintiff,))
MITCHELL H. CAPLAN and ROBERT J.) SIMMONS,)	-against-))
Defendants.)	MITCHELL H. CAPLAN and ROBERT J.)))
	Defendants.	,))

JOSHUA FERENC, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

-against-

E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN, AND ROBERT J. SIMMONS,

Defendants.

Civil Action No. 07-10540-SHS

Motley Rice LLC and Lieff, Cabraser, Heimann & Bernstein, LLP have moved the Court for an order granting their motion to withdraw from the above-captioned consolidated cases, pursuant to Local Civil Rule 1.4, because the entity they represent, Skandia Life Insurance Company Ltd. ("Skandia") was not appointed Lead Plaintiff and counsel was not chosen as Lead and Liaison Counsel. Having considered the motion, the Court GRANTS the motion of counsel to withdraw from the above-captioned consolidated cases.

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It is so ordered.

New York, N.Y.

Date: 8.13.08